United Nations S/2013/59

Security Council

Distr.: General
25 January 2013

Original: English

Report of the Secretary-General on the situation in Abyei

I. Introduction

1. The present report is submitted pursuant to paragraph 17 of Security Council resolution 2075 (2012), in which the Council requested that I continue to inform it of progress in the implementation of the mandate of the United Nations Interim Security Force for Abyei (UNISFA), and to bring to its attention any violation of the Agreement of 20 June 2011 between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384, annex). The present report also provides an update on progress made in the implementation of the additional tasks mandated to UNISFA under Council resolution 2024 (2011) related to the Joint Border Verification and Monitoring Mechanism. In addition, the report provides an update on the situation in Abyei and on the deployment and operations of UNISFA since my previous report on the matter issued on 23 November 2012 (S/2012/890).

II. Security situation

2. The security situation in the Abyei Area has remained calm but volatile. The force of between 120 and 150 Sudanese oil police remained deployed inside the Diffra oil complex, in the northern part of the Abyei Area. Its presence and activities, while limited to the oil complex, are in violation of the Agreement of 20 June 2011, as well as Security Council resolutions 1990 (2011), 2032 (2011), 2046 (2012), 2047 (2012) and 2075 (2012).

3. As mentioned in my previous report, a group of approximately 35 men armed with light weapons, entered the Abyei Area on 6 November and stationed itself in the vicinity of Um Khariet and Dumboloya. UNISFA leadership was informed that the group, principally Misseriya in composition, is affiliated with the Justice and Equality Movement and has been fighting in Darfur and Southern Kordofan alongside the Sudan People's Liberation Movement-North. Although, the group declared its intention to continue fighting the Government from within the Abyei Area, it also expressed its willingness to engage in talks with the Government of the Sudan.

4. Upon the request of the UNISFA Head of Mission and Force Commander, Lieutenant-General Tadesse Werede Tesfay, the group agreed to withdraw from the Abyei Area. In December, approximately 25 of the men withdrew from the Area.

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The remaining 10 members, have settled in the south-eastern part of the Area, near the border with South Sudan. In order to monitor the group's movements and protect the local civilian population, UNISFA continues to maintain a strong military presence around them and is continuing to request their complete withdrawal from the Area.

5. The 2012-2013 annual seasonal migration of Misseriya nomads through the Abyei Area is well under way and is continuing peacefully. Approximately 50,000 nomads, along with approximately 1.2 million livestock, are currently present inside the Area. The nomads have reached the Kiir/Bahr el-Arab River in the western corridor and have migrated as far as Todach in the central corridor. The nomads have also begun crossing the border with Unity State in South Sudan, along the eastern corridor.

6. In coordination with the United Nations Mission in South Sudan (UNMISS), a UNISFA delegation travelled from 26 to 29 November to the South Sudan border States of Northern Bahr-el-Ghazal, Warrap and Unity to discuss, with the State governors, traditional community leaders and UNMISS, the necessary preparations to ensure a peaceful migration. The State governors welcomed the steps UNISFA was taking to prevent intercommunal confrontation and agreed that talks between the two communities were critical to that effort. However, the governors of Northern Bahr el-Ghazal and Warrap States expressed serious security concerns in respect of the entry of armed nomads into South Sudan.

7. On 14 December 2012, in close coordination with UNMISS, UNISFA facilitated a meeting between the leaders of the Ngok Dinka in the Abyei Area and the Twic Dinka in Warrap State to discuss measures that could be undertaken to ensure a peaceful and orderly migration. However, the meeting was not successful and resulted in the denial of entry of the Misseriya migration into Warrap State for the fifth consecutive year.

8. With the onset of the dry season, the number of Ngok Dinka displaced persons returning to their homes continued to increase and is currently estimated to be over 20,000 north of the Kiir/Bahr el-Arab River, including approximately 4,500 in Abyei town. No security incidents between the Ngok Dinka and Misseriya have taken place during the reporting period. UNISFA increased its average number of daily patrols to 65, covering approximately 1,400 kilometres, and maintained a constant visible military presence along the migration routes.

9. The main road from Diffra to Abyei town, which is used for the transportation of goods, was repaired by UNISFA in November. As a result, commercial activity in Abyei town and market increased during the reporting period. The market, which was closed following the security incidents of 12 and 13 November, reopened on 20 November. UNISFA has maintained a platoon presence in and around the market.

10. The focus of the United Nations Mine Action Service in the current dry season is to clear additional roads to ensure the unrestricted movement of the local population, UNISFA patrols and humanitarian actors. Together with its contractor, and in view of the high number of anticipated returns of displaced Ngok Dinka, the United Nations Mine Action Service is undertaking area assessments, focusing on villages in the southern Abyei Area and in the vicinity of Abyei town.

III. Political developments

11. The Governments of the Sudan and South Sudan met in Addis Ababa from 12 to 14 December to discuss, among other issues, the establishment of the Abyei Area institutions. On 13 December, South Sudan accepted the Government of the Sudan's list of nominees for the positions of Deputy Chief Administrator and Speaker of the Abyei Area Council.

12. The Peace and Security Council of the African Union held its 349th meeting on 14 December, nine days after the expiry of its 5 December deadline for the Sudan and South Sudan to agree on the final status of the Abyei Area. The Peace and Security Council reiterated its earlier acceptance of the 21 September 2012 proposal of the African Union High-level Implementation Panel recommending that a referendum be held in October 2013 to determine the final status of the Abyei Area. While noting the submission by the Sudan of a list of nominees for the Abyei Area Administration and Council, it urged both parties to carry forward the process of establishing the Abyei Area institutions. Significantly, it referred the final decision on the determination of the final status of the Abyei Area to the Summit of the African Union Heads of State and Government, scheduled to begin in Addis Ababa on 25 January 2013. Subsequently, President Omer Al-Bashir and President Salva Kiir met in Addis Ababa on 4 and 5 January. Both Presidents, as reported by the Panel, called on the Abyei Joint Oversight Committee to meet and immediately establish the Abyei Area institutions.

13. The eighth meeting of the Abyei Joint Oversight Committee was held in Addis Ababa on 12 and 13 January. The parties agreed upon the nomination of the members of the Abyei Area institutions, including the Chief and Deputy Chief Administrator and the five heads of department, and on the nomination of the Chair of the Abyei Area Council. However, the parties were unable to agree on the composition of the Abyei Area Council. The Co-Chairs of the Committee further noted that the agreed nominations would only become effective once the composition of the Abyei Area Council had been resolved. In a positive development, the Co-Chairs agreed to instruct their respective police experts to begin work on proposals for the size and composition of the future Abyei Police Service and to discuss a joint proposal at a meeting to be held in Abyei town on 30 January. The next meeting of the Committee is expected to be held in Abyei town on 15 February.

IV. Status of the Joint Border Verification and Monitoring Mechanism

14. The Sudan and South Sudan have made progress towards the implementation of their agreement to establish the Joint Border Verification and Monitoring Mechanism, as provided in the Agreement on Border Security and the Joint Political and Security Mechanism of 29 June 2011, the Agreement on the Border Monitoring Support Mission of 30 July 2011 and the Agreement on Security Arrangements of 27 September 2012.

15. Following the inconclusive outcome of the meeting of the Joint Political and Security Mechanism held in Juba in early November, the Sudan hosted a follow-up meeting on 9 and 10 December in Khartoum. Having reached an impasse on the way forward, the two Co-Chairs of the Joint Mechanism requested the African Union

High-level Implementation Panel to convene and chair an extraordinary session of the Mechanism and draw up an agenda in consultation with the parties.

16. The extraordinary meeting of the Joint Political and Security Mechanism was held in Addis Ababa from 15 to 18 December. At the conclusion of the meeting, the two delegations agreed to the immediate establishment of the Safe Demilitarized Border Zone, the Joint Border Verification and Monitoring Mechanism and the Ad Hoc Committee, and to open 10 border crossing corridors. They further agreed that either of them may, at any time, submit security-related complaints to the Co-Chairs of the Joint Political and Security Mechanism for consideration by an appropriate subcommittee.

17. The Joint Political and Security Mechanism also established a technical committee, which, with the support of UNISFA, developed an implementation plan and timetable for the activation of the Safe Demilitarized Border Zone and the Joint Border Verification and Monitoring Mechanism. The agreed implementation plan, which was endorsed by the Co-Chairs of the Joint Political and Security Mechanism on 19 December, has retained a two-phase deployment approach. During the first phase, a new initial operating capability would be established in two of the four sector headquarters on the border between the two countries. The second phase, with full operating capability, would entail the activation of all four sectors.

18. The parties also agreed on the timelines for the withdrawal of their forces from the Safe Demilitarized Border Zone and the operationalization of the Joint Border Verification and Monitoring Mechanism. Finally, the implementation plan further noted that special arrangements for the "14-mile" area, as provided under the Agreement on Security Arrangements of 27 September, had yet to be agreed upon. During their summit meeting held in Addis Ababa on 4 and 5 January 2013, Presidents Bashir and Kiir directed the Joint Political and Security Mechanism to ensure that, at its next meeting, the Safe Demilitarized Border Zone would be created without further delay.

19. The Joint Political and Security Mechanism reconvened in a further extraordinary session held in Addis Ababa from 14 to 18 January. During the meeting, in accordance with the two-phase approach, the parties agreed that the Joint Border Verification and Monitoring Mechanism initial operating capability would be established with temporary headquarters in Kadugli (Southern Kordofan, Sudan), sector headquarters in Kadugli and Gok Machar (Northern Bahr el-Ghazal, South Sudan) and a total of four teams of monitors. They further agreed that full operating capability would be established with additional sector headquarters in Buram (South Darfur, the Sudan) and Malakal (Upper Nile State, South Sudan) and the deployment of all 10 teams of monitors. The envisaged number of UNISFA, Sudanese and South Sudanese monitors will remain at 90 each, and the parties will build up the total monitor strength, based on operationalization progress, starting with 70 monitors each. They also recommended that the UNISFA force protection should be increased to 860 troops, from the previously agreed 300. The parties failed to actually establish the Joint Border Verification and Monitoring Mechanism and create the Safe Demilitarized Border Zone, however, due to remaining disagreements on the length of the 14-mile area and a dispute over the need to proceed concurrently with the implementation of their oil agreement. The Sudan insisted that the Agreement on Security Arrangements had to be implemented in full

before any other could proceed, while South Sudan maintained that the agreements of 27 September 2012 had to be implemented concurrently.

20. On 16 January 2013, the Governments of the Sudan and South Sudan announced nevertheless that they had completed the withdrawal of their respective forces from the Safe Demilitarized Border Zone centre line, in accordance with the 28-day deadline set on 19 December 2012, the date of the adoption of the Joint Border Verification and Monitoring Mechanism implementation plan by the Joint Political and Security Mechanism. The withdrawal of their forces has yet to be verified.

21. For the purpose of establishing necessary operational and strategic mechanisms, UNISFA, UNMISS and UNAMID held a joint meeting in Juba on 30 November. The three missions agreed to create working groups for that purpose, which are to hold discussions on a monthly basis. The requisite staff planning for the Joint Border Verification and Monitoring Mechanism to conduct patrols together with the mine action teams has been completed, while demining-related training plans, designed to train demining teams on investigation and verification tasks, are being finalized.

22. UNISFA also conducted a series of reconnaissance missions with UNMISS support to proposed Mechanism team sites in Northern Bahr-el-Ghazal State and Southern Kordofan State for the purpose of identifying deployment locations, accommodation and office space for the Joint Border Verification and Monitoring Mechanism team sites, and sector headquarters.

V. Humanitarian situation

23. With the increasing migration momentum and flow of returnees into the area of operations, the focus of the effort by both the humanitarian community and UNISFA has been to ensure simultaneous humanitarian interventions covering both communities, in order to avoid any clashes over resources and assistance. The International Organization for Migration (IOM) and the United Nations Development Programme have commenced a joint peacebuilding initiative, in order to facilitate dialogue between returning Ngok Dinka and migrating Misseriya communities.

24. Adequate water supply remains a key factor in preventing intercommunal conflict, especially during the migration season. UNISFA and the humanitarian community have been collaborating to identify scarcity areas and create additional water points within them. As part of the $3.8 million financial assistance package allocated by the United States Agency for International Development to support humanitarian assistance in respect of health and clean water for vulnerable populations in the Abyei Area, IOM is planning to construct 17 water yards during the current dry season, in areas north of Abyei town.

25. The World Health Organization recently vaccinated over 12,500 children under the age of 5 against poliomyelitis in addition to supplementing medical supplies for two hospitals in Abyei town. Among the relief and rehabilitation programmes targeting the Ngok Dinka population, the United Nations Children's Fund and IOM have continued to rehabilitate water points in the Abyei Area, while IOM and the Abyei Catholic Church have provided over 500 emergency shelter kits to displaced persons in and around Abyei town. The Office of the United Nations High

Commissioner for Refugees has been distributing emergency non-food items to an average of 100 vulnerable displaced persons per month within the Abyei Area. The Food and Agriculture Organization of the United Nations has vaccinated 16,000 livestock belonging to the Ngok Dinka as part of its livestock vaccination programme.

VI. Protection of civilians

26. No intercommunal incidents occurred in the Abyei Area during the reporting period. Despite the violent incidents of 12 and 13 November, the situation has remained calm in Abyei town since then and the Force has continued its efforts to fill the security vacuum resulting from the absence of the Abyei Area institutions and Abyei Police Service. These efforts have included strengthening the joint security committees, regular interactions and dialogue with the local communities and promoting intercommunal dialogue between the Ngok Dinka and Misseriya. The Force also continued to focus on quick-impact projects to promote conflict prevention initiatives, including strengthening resource-based infrastructure, such as water points, basic social services, such as schools and primary health centres, as well as community facilities, including an abattoir and livestock market yard.

27. In accordance with its conflict prevention and mitigation strategy and through a process of mutual consultation, UNISFA prevailed upon the Misseriya nomads at the leadership and operational levels to avoid areas around Abyei town and other areas with a greater concentration of Ngok Dinka returnees, particularly in the vicinity of Noong, Leu, Marial Achak and Tajalei. So far, the strategy has been successful. UNISFA troops are also present around these villages populated by Ngok Dinka, in order to closely monitor the situation and prevent any clashes.

28. There were no new developments during the period under review in respect of the operationalization of human rights monitoring in the Abyei Area, as called for by the Security Council under paragraph 10 of resolution 1990 (2011) and paragraph 14 of resolution 2075 (2012). Despite the lack of proper records or follow-up investigations by the local authorities, UNISFA patrols have been receiving informal reports of an increase in sexual and gender-based violence in and around the Agok town area.

VII. Deployment of the United Nations Interim Security Force for Abyei

29. As at 20 January 2013, the military component of UNISFA comprised 3,974 of its authorized troop strength of 4,200 present and working on the ground (see annex I). The remaining 226 elements are earmarked for deployment within the UNISFA air aviation unit, the ranks of military observers and staff officers, and the Joint Border Verification and Monitoring Mechanism.

30. The UNISFA military component continued to be deployed in three sectors (see annex II) since, with the commencement of the migration season, the UNISFA troops have moved out of wet season garrison locations to seven temporary operating bases in Leu, Tajalei, Marial Achak, Athony, Um Khariet, Noong and Dungoup, in order to provide security along the migratory routes. Four additional

temporary operating bases, in Shegei, Dumboloya, Lopong and Alal, are also in the process of being deployed.

31. After the recent third rotation of 969 Ethiopian troops between 17 and 28 December, battalion 6 replaced battalion 3 in Sector South. In line with its stated commitment to establish the Abyei Police Service, the Government of the Sudan recently issued visas for 11 members of the advance police team.

VIII. Mission support

32. With the onset of the dry season, the Force has undertaken the repair and rehabilitation of a number of arterial roads, including portions of the Abyei town-Diffra road and the Agok-Abyei town road, as well as several feeder roads. This has enabled access to all company operating bases and temporary operating bases. Preparations for the rehabilitation of the Athony airstrip near Agok have also begun.

33. Approximately, 50 per cent of UNISFA troops continue to live in tents provided by the United Nations. However, construction on the prefabricated buildings at the Force's interim headquarters and accommodations for troops within the Force's headquarters camp are in progress.

34. Despite the Government of South Sudan having lifted all restrictions on the movement of United Nations rations as at 23 November, the Force's contractor continues to face difficulties at the border in receiving clearance for troop rations. Efforts are ongoing to further streamline the import of food rations. Fuel stocks that decreased during the rainy season, during which no road supply was possible, are currently being replenished.

IX. Observations and recommendations

35. Despite the overall calm in the Abyei Area during the reporting period, the violent incidents in November have shown that some members within both the Ngok Dinka and the Misseriya communities seem determined to ignite hostilities. In preparation for the holding of a referendum to determine the final status of the Abyei Area, as called for by the Peace and Security Council of the African Union, both community leaders have declared their intention to increase their respective settlements within the Area. This has led to a further deterioration of intercommunal relations and an increase in tension between them.

36. A peaceful and orderly migration is vital to decreasing tensions and preventing conflict in the Area, and I urge the communities and their leaders, as well as the State and national Governments of both countries to continue to uphold the relevant international conventions and the traditional migratory rights across their territories by supporting positive and constructive dialogue between the communities.

37. As highlighted in previous reports, the absence of law enforcement agencies in the Abyei Area and the resultant security vacuum continue to pose significant challenges for UNISFA, which does not currently have the resources to address them. The lack of concrete progress in the establishment of the Abyei Police Service is giving rise to informal law enforcement mechanisms and discouraging conflict resolution through peaceful means. Meanwhile, the number of returnees into the

Abyei Area is steadily increasing and there is an urgent need to provide them with basic services and infrastructure. Setting up the Abyei Area institutions, in accordance with the 20 June 2011 Agreement, including the Administration, the Council and the Police Service, should remain a priority for both Governments.

38. Given the simultaneous presence of the Ngok Dinka and nomadic Misseriya communities within the Abyei Area, as well as vigilante groups and informal administrative mechanisms, it is crucial to build up an enabling environment for sustainable peace and development through human rights monitoring and verification mechanisms. I strongly encourage the Governments of the Sudan and South Sudan to take adequate measures to enable UNISFA to fulfil its mandate.

39. I commend the parties on the compromise reached during the extraordinary meeting of the Joint Political and Security Mechanism held in Addis Ababa from 14 to 18 January 2013, during which they made progress in defining the operational modalities necessary for the establishment of the Safe Demilitarized Border Zone and activation of the Joint Border Verification and Monitoring Mechanism. I urge both parties to resolve their remaining differences over the 14-mile area and the implementation of the oil agreement and to urgently activate their agreed security mechanisms. I welcome the communication by both countries announcing the withdrawal of their respective troops from the centre line of the Safe Demilitarized Border Zone.

40. I take note of the agreement of the parties that the force protection element provided by UNISFA to support the Joint Border Verification and Monitoring Mechanism should be increased from 300 to 860 troops. That agreement implies an increase of the UNISFA current troop ceiling and will have support and financial implications for the Force. Once the Safe Demilitarized Border Zone has been created and the Mechanism activated, I will send a letter to the Council with detailed recommendations on this issue, including the full support and financial implications. UNISFA is ready to immediately support the Mechanism's initial operating capability.

41. In conclusion, I would like to convey my deep gratitude to the Government of Ethiopia for its contribution to the cause of lasting peace in the region. In particular, I would like to thank the Prime Minister of Ethiopia, Hailemariam Desalegn, for his personal efforts to assist both countries in resolving their outstanding differences. I would also like to express my sincere appreciation to my Special Envoy, Haile Menkerios, and to the African Union High-level Implementation Panel, led by President Thabo Mbeki, for their tireless endeavours to promote a peaceful coexistence between the Sudan and South Sudan.

42. I would also like to extend my gratitude to the UNISFA Head of Mission, Lieutenant-General Tadesse Werede Tesfay, for his leadership of the mission and unwavering commitment to the effective implementation of its mandate. As he steps down as Head of Mission, I thank him for his service to the United Nations and to the people of Abyei and wish him the best in his future endeavours. Last, I would like to thank the staff of UNISFA for their contribution to helping to restore normalcy to the Abyei Area, including by promoting reconciliation and peaceful coexistence among the various communities, often under very difficult conditions.

Annex I

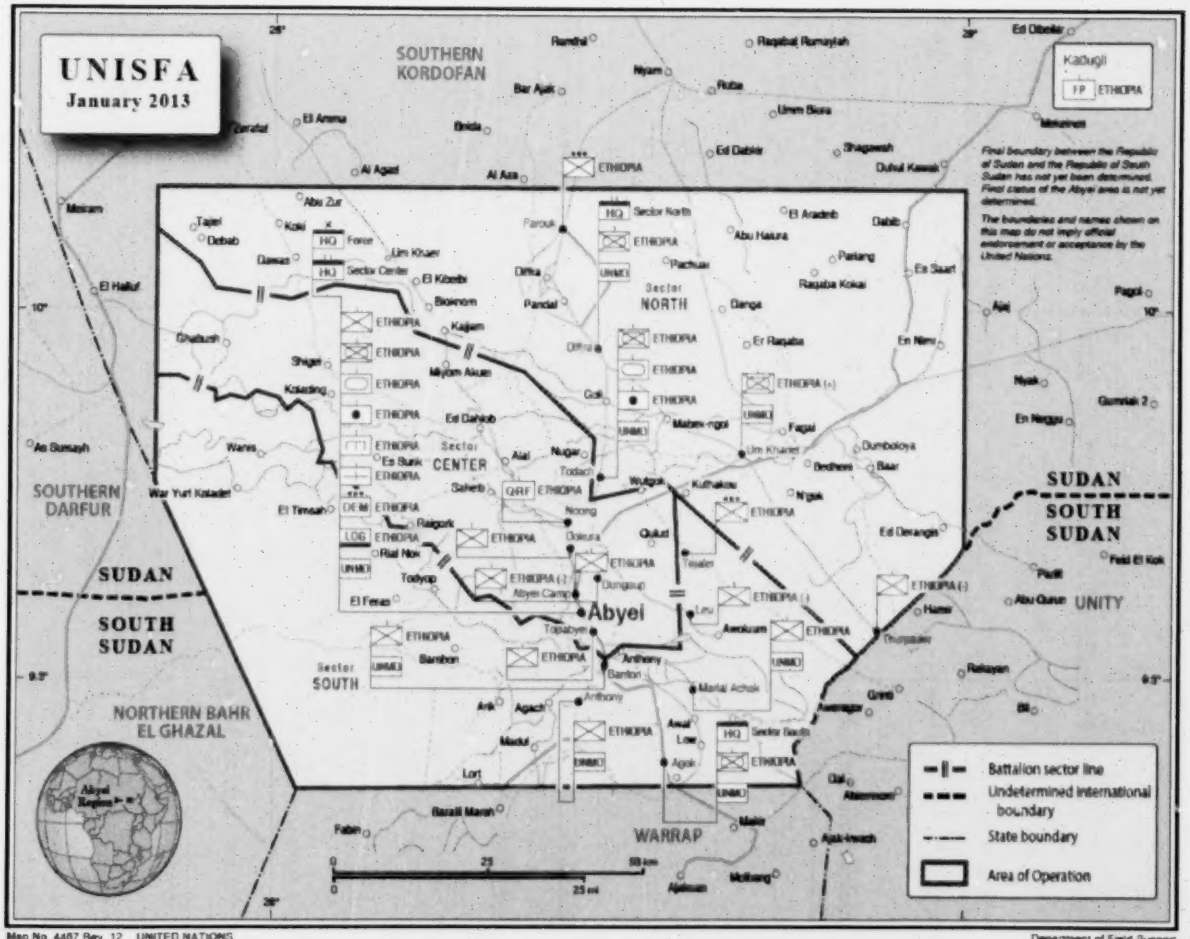
Composition of the military component of the United Nations Interim Security Force for Abyei, including the Joint Border Verification and Monitoring Mechanism

Country	*Description*	*Male*	*Female*	*Total*
Benin	Experts on mission	3		4
	Contingent troops	1		
Bolivia (Plurinational State of)	Experts on mission	3		4
	Contingent troops	1		
Brazil	Experts on mission	1		3
	Contingent troops	2		
Burundi	Experts on mission	1		1
Cambodia	Experts on mission	1		1
Ecuador	Experts on mission	1		1
El Salvador	Experts on mission	1		1
Ethiopia	Experts on mission	82	4	3 895
	Contingent troops	3 595	214	
Ghana	Experts on mission	3		5
	Contingent troops	2		
Guatemala	Experts on mission	2		3
	Contingent troops	1		
Guinea	Experts on mission	2		2
India	Experts on mission	2		4
	Contingent troops	2		
Indonesia	Experts on mission	1		2
	Contingent troops	1		
Kyrgyzstan	Experts on mission	1		1
Malaysia	Experts on mission	1		1
Mongolia	Experts on mission	2		2
Mozambique	Experts on mission	1		1
Namibia	Experts on mission	1		1
Nepal	Experts on mission	3		5
	Contingent troops	2		
Nigeria	Experts on mission	1		4
	Contingent troops	3		
Paraguay	Experts on mission	1		1

Country	*Description*	*Male*	*Female*	*Total*
Peru	Experts on mission	2		3
	Contingent troops	1		
Philippines	Experts on mission	1		2
	Contingent troops	1		
Russian Federation	Experts on mission	1		3
	Contingent troops	2		
Rwanda	Experts on mission	2		4
	Contingent troops	2		
Sierra Leone	Experts on mission	3		3
Sri Lanka	Experts on mission	5		6
	Contingent troops	1		
United Republic of Tanzania	Experts on mission	1		2
	Contingent troops		1	
Ukraine	Experts on mission	2		4
	Contingent troops	2		
Uruguay	Contingent troops	1		1
Zambia	Experts on mission	1		1
Zimbabwe	Experts on mission	2		3
	Contingent troops	1		
Total		**3 755**	**219**	**3 974**

Annex II

Map of the deployment of the United Nations Interim Security Force for Abyei


UNISFA
January 2013
SOUTHERN KORDOFAN
SOUTHERN DARFUR
SUDAN
SOUTH SUDAN
NORTHERN BAHR EL GHAZAL
WARRAP
UNITY
Abyei
Sector NORTH
Sector CENTER
Sector SOUTH
ETHIOPIA
Battalion sector line
Undetermined international boundary
State boundary
Area of Operation
Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined. Final status of the Abyei area is not yet determined.
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
Map No. 4407 Rev. 12 UNITED NATIONS
January 2013 (Colour)
Department of Field Support
Cartographic Section